



DECLARATION CLAIMING SMALL ENTITY STATUS

FOR AN INDEPENDENT INVENTOR

I, Donald W. Bryan, hereby declare that I qualify as an independent inventor as defined in 37 C.F.R 1.9 for purposes of paying reduced fees to the Patent and Trademark Office under Section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled SPINAL FIXATION APPARATUS AND METHOD, described in the continuation-in-part patent application filed concurrently herewith.

I further declare that I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey, or license any right, title, or interest in the invention to any person, firm, or organization.

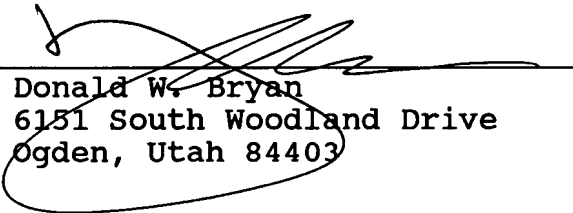
I acknowledge the duty to file, in the above-mentioned application or any patent issued in respect thereof, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of (1) the issue fee or (2) any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements

were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signed at Ogden, Utah, this 11th day of March 1996.

Inventor


Donald W. Bryan
6151 South Woodland Drive
Ogden, Utah 84403

JWY:my
Docket: 261b

DECLARATION, POWER OF ATTORNEY AND PETITION

I, Donald W. Bryan, declare: that I am a citizen of the United States of America; having a postal address and a place of residence at 6151 South Woodland Drive, Ogden, Utah 84403; that I verily believe I am the original, first and sole inventor of the subject matter of the invention or discovery entitled SPINAL FIXATION APPARATUS AND METHOD, which is a continuation-in-part application of my copending application Serial Number 08/232,371, filed 25 April 1994 for SPINAL FIXATION APPARATUS AND METHOD now U.S. Patent Number 5,498,262 issued 12 March 1996 which was a continuation-in-part application of Serial Number 07/999/005 filed 31 December 1992 for LUMBAR SPINE FIXATION APPARATUS AND METHOD now U.S. Patent Number 5,306,275 issued 26 April 1994, for which a patent is sought and which is described and claimed in the specification attached hereto; that I have reviewed and understand the contents of the above-identified specification, including the claims, and that I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under

Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint as my attorney J. WINSLOW YOUNG, Registration No. 25948, P.O. Box 1088, Centerville, Utah 84014-5088, Telephone (801) 292-1248, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence and telephonic communications should be directed to the attention of J. Winslow Young at the above address.

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Ogden, Utah, this 11th day of March 1996.

Inventor

1-00

Donald W. Bryan
6151 South Woodland Drive
Ogden, Utah 84403
UT

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